

**§ 1644. Communication between State and local government agencies and Immigration and Naturalization Service**

Notwithstanding any other provision of Federal, State, or local law, no State or local government entity may be prohibited, or in any way restricted, from sending to or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States.

(Pub. L. 104-193, title IV, § 434, Aug. 22, 1996, 110 Stat. 2275.)

**ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS**

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of this title.

**§ 1645. Qualifying quarters**

For purposes of this chapter, in determining the number of qualifying quarters of coverage under title II of the Social Security Act [42 U.S.C. 401 et seq.] an alien shall be credited with—

- (1) all of the qualifying quarters of coverage as defined under title II of the Social Security Act worked by a parent of such alien before the date on which the alien attains age 18, and
- (2) all of the qualifying quarters worked by a spouse of such alien during their marriage and the alien remains married to such spouse or such spouse is deceased.

No such qualifying quarter of coverage that is creditable under title II of the Social Security Act for any period beginning after December 31, 1996, may be credited to an alien under paragraph (1) or (2) if the parent or spouse (as the case may be) of such alien received any Federal means-tested public benefit (as provided under section 1613 of this title) during the period for which such qualifying quarter of coverage is so credited. Notwithstanding section 6103 of title 26, the Commissioner of Social Security is authorized to disclose quarters of coverage information concerning an alien and an alien's spouse or parents to a government agency for the purposes of this chapter.

(Pub. L. 104-193, title IV, § 435, Aug. 22, 1996, 110 Stat. 2275; Pub. L. 105-33, title V, § 5573, Aug. 5, 1997, 111 Stat. 641.)

**REFERENCES IN TEXT**

The Social Security Act, referred to in text, is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Title II of the Act is classified generally to subchapter II (§ 401 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

**AMENDMENTS**

1997—Pub. L. 105-33, § 5573(a), inserted at end “Notwithstanding section 6103 of title 26, the Commissioner of Social Security is authorized to disclose quarters of coverage information concerning an alien and an alien's spouse or parents to a government agency for the purposes of this chapter.”

Par. (1). Pub. L. 105-33, § 5573(b), substituted “before the date on which the alien attains age 18,” for “while the alien was under age 18.”

**EFFECTIVE DATE OF 1997 AMENDMENT**

Amendment by Pub. L. 105-33 effective as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, see section 5582 of Pub. L. 105-33, set out as a note under section 1367 of this title.

**§ 1646. Derivative eligibility for benefits**

Notwithstanding any other provision of law, an alien who under the provisions of this chapter is ineligible for benefits under the food stamp program (as defined in section 1612(a)(3)(B) of this title) shall not be eligible for such benefits because the alien receives benefits under the supplemental security income program (as defined in section 1612(a)(3)(A) of this title).

(Pub. L. 104-193, title IV, § 436, as added Pub. L. 105-33, title V, § 5305(a), Aug. 5, 1997, 111 Stat. 601.)

**EFFECTIVE DATE**

Section effective, except as otherwise provided, as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, see section 5308 of Pub. L. 105-33, set out as an Effective Date of 1997 Amendment note under section 1612 of this title.

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§ 1701. Definitions

In this chapter:

(1) Alien

The term “alien” has the meaning given the term in section 1101(a)(3) of this title.

(2) Appropriate committees of Congress

The term “appropriate committees of Congress” means the following:

(A) The Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate.

(B) The Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on International Relations of the House of Representatives.

(3) Chimera system

The term “Chimera system” means the interoperable electronic data system required to be developed and implemented by section 1722(a)(2) of this title.

(4) Federal law enforcement agencies

The term “Federal law enforcement agencies” means the following:

- (A) The United States Secret Service.  
(B) The Drug Enforcement Administration.  
(C) The Federal Bureau of Investigation.  
(D) The Immigration and Naturalization Service.  
(E) The United States Marshall Service.  
(F) The Naval Criminal Investigative Service.  
(G) The Coast Guard.  
(H) The Diplomatic Security Service.  
(I) The United States Postal Inspection Service.  
(J) The Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice.  
(K) The United States Customs Service.  
(L) The National Park Service.

(5) Intelligence community

The term “intelligence community” has the meaning given that term in section 401a(4) of title 50.

(6) President

The term “President” means the President of the United States, acting through the Assistant to the President for Homeland Security, in coordination with the Secretary of State, the Commissioner of Immigration and Naturalization, the Attorney General, the Director of Central Intelligence, the Director of the Federal Bureau of Investigation, the Secretary of Transportation, the Commissioner of Customs, and the Secretary of the Treasury.

(7) USA PATRIOT Act

The term “USA PATRIOT Act” means the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (Public Law 107-56).

(Pub. L. 107-173, §2, May 14, 2002, 116 Stat. 544; Pub. L. 107-296, title XI, §1112(c), Nov. 25, 2002, 116 Stat. 2276; Pub. L. 108-293, title VI, §619, Aug. 9, 2004, 118 Stat. 1062.)

REFERENCES IN TEXT

This chapter, referred to in introductory provisions, was in the original “this Act”, meaning Pub. L. 107-173, May 14, 2002, 116 Stat. 543, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001, referred to in par. (7), was Pub. L. 107-56, Oct. 26, 2001, 115 Stat. 272. Pub. L. 107-56 was renamed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 or the USA PATRIOT Act by Pub. L. 109-177, title I, §101(b), Mar. 9, 2006, 120 Stat. 194. For complete classification of this Act to the Code, see Short Title of 2001 Amendment note set out under section 1 of Title 18, Crimes and Criminal Procedure, and Tables.

AMENDMENTS

2004—Par. (4)(G). Pub. L. 108-293 substituted “The Coast Guard” for “The Coastal Security Service”.

2002—Par. (4)(J). Pub. L. 107-296 substituted “Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice” for “Bureau of Alcohol, Tobacco, and Firearms”.

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 401 of Title 50, War and National Defense.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

SHORT TITLE

Pub. L. 107-173, §1(a), May 14, 2002, 116 Stat. 543, provided that: “This Act [enacting this chapter, amending sections 1187, 1201, 1221, 1356, 1372, and 1379 of this title,